IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1912 OF 2005

Shobha Sharad Kamble and anr. ... Petitioners

Vs.

The Mun. Corpn. for Gr. Mumbai
and anr. ... Respondents

Mr. H.S.S. Murthy for Petitioner.

Ms. Trupti Puranik for Respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: SEPTEMBER 12, 2006

P.C.:

. The construction of the Petitioner has been demolished. In these circumstances, it will not be open for this court to grant relief in terms as prayed for by the Petitioner. The Petitioner will have to follow the process of law and get necessary permission to put up the construction. Even if, he has any case for damages against the Respondents that the construction has been illegally demolished, it will be open to the Petitioners to take such proceedings and disposal of this petition will not stand in his way. Petition stands disposed of. We make it clear that we have not decided the merits of the matter and all issues are left open.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**